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Letter dated 18 February 2005 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

As you may recall, in May 2004 the President of the Republic of the Sudan, Omar Hassan Ahmed Albashir, established a National Commission of Inquiry on Darfur. You may also recall that the Security Council, in its Presidential statement of 25 May 2004 (S/PRST/2004/18), took note of the establishment of the Commission and further welcomed, in its resolution 1556 (2004), the commitment by the Government of the Sudan to investigate the atrocities ... etc. This Commission has published its report in January 2005.

In this regard, I regret to bring the following to your kind attention:

1. On 23 January 2005, the Mission of the Sudan, by its Arabic language letter number SN/001/2005, submitted the report of the National Commission of Inquiry (99 pages) to the President of the Security Council with the request that it be circulated to the members of the Council. To our surprise, 27 days have passed since the submission of the report and the document, as of today, 18 February 2005, has not yet been made available to the members of the Council.

2. On 8 February 2005, the Mission also submitted to the President of the Council the response of the Government of the Sudan (31 pages) to the report of the International Commission of Inquiry. Eleven days have passed, yet the document has not been officially published.

3. Meanwhile, the Secretariat of the United Nations has submitted the report of the International Commission of Inquiry (176 pages) to the Security Council on 31 January 2005. Again to our surprise, this document was published in all official languages on 9 February, that is, in only 10 days!!

As you are aware, the members of the Security Council, based on the report of the International Commission of Inquiry, are already engaged in discussions and consultations about the course of action the Council might take.

It has always been our conviction that the Security Council examines all documents officially made available to it before addressing such a serious issue. In this regard, bearing in mind that the Council is continuing its deliberations and consultations on the report of the International Commission of Inquiry, to the extent that some members have already put forward their proposals for action, my Government is gravely concerned that the documents it has submitted have not yet been published.

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My Government, without questioning the intentions of the Council, finds it difficult, if not impossible, to understand the delay of 27 days in translating 99 pages and 11 days in translating 31 pages, while the Council, in its well known efficiency, has managed to have the report of the International Commission of Inquiry (176 pages) translated in all the official languages in only 10 days.

The Government of the Sudan, a Member of the United Nations directly concerned with the issue under discussion, has the legitimate right to question the unjustifiable treatment reserved for the documents it has submitted with the genuine intention of explaining its position on one hand, and providing the Council with information that could enable it to have a holistic view of the matter under its consideration on the other hand.

I would highly appreciate it if the present letter could be circulated as a document of the Security Council.

(*Signed*) Elfatih Erwa
Permanent Representative